

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**


THREE RIVERS ORTHOPAEDIC & SPINE PRODUCTS, INC.,)	
)	
)	
Plaintiff,)	
)	Case No. 1:14cv2171
vs.)	
)	Judge Patricia A. Gaughan
JARED VILLERS,)	
)	
Defendant.)	
)	

STIPULATION AND SCHEDULING ORDER

The Parties have negotiated and agreed as follows, and the Court Orders:

1. The Parties shall each reasonably identify and preserve and not destroy all electronic information and documents relevant to the allegations, defenses, and the Parties' dispute.
2. The Motion for Expedited Discovery is denied as moot, and the Parties agree to the following schedule for expedited discovery:
 - a. Each Party may serve up to ten (10) document requests and up to ten (10) interrogatories ("Expedited Party Requests") by e-mail on 11:59 p.m. October 21, 2014.
 - b. Responses and objections to the Expedited Party Requests shall be served by e-mail by 11:59 p.m. on November 4, 2014.
 - c. Each Party may serve up two (2) subpoenas *duces tecum* on third-parties, each containing up to ten (10) document requests and, with respect to 30(b)(6) depositions of third parties, containing up to five (5) deposition topics, during the

expedited discovery phase ("Expedited Third-Party Requests"). Third-parties shall be provided at least fourteen (14) days from date of service to comply with any subpoena.

- d. Motions to compel with respect to the Expedited Party Requests and Expedited Third-Party Requests ("Expedited Motions to Compel") shall be filed with the Court and served by e-mail by 11:59 p.m. on November 6, 2014.
- e. Oppositions to Expedited Motions to Compel shall be filed with the Court and served by e-mail by 11:59 p.m. on November 10, 2014.
- f. Reply briefs in further support of Expedited Motions to Compel shall be filed with the Court and served by e-mail by 11:59 p.m. on November 11, 2014.
- g. ~~The Court will hold a telephonic hearing on the Expedited Motions to Compel on November 12, 13, or 14, 2014.~~ 
- h. Depositions in connection with the preliminary injunction proceedings shall take place on November 25, November 26, December 1, and December 5, or on other dates as mutually agreed by the Parties. The Parties shall reasonably accommodate any scheduling requests of third-parties.

3. The following briefing schedule shall apply in connection with the Motion for Preliminary Injunction:

- a. Plaintiff's brief in support of its Motion for Preliminary Injunction shall be filed with the Court and served by e-mail by 11:59 p.m. on December 12, 2014.
- b. Defendant's brief in opposition to Plaintiff's Motion for Preliminary Injunction shall be filed with the Court and served by e-mail by 11:59 p.m. on December 19, 2014.

- c. Plaintiff's reply in support of its Motion for Preliminary Injunction shall be filed with the Court and served by e-mail by 11:59 p.m. on December 23, 2014.
 - d. Defendant reserves its right to seek leave to file a sur-reply brief.
4. This stipulation is not intended to restrict either party from conducting additional non-expedited discovery.

October 21, 2014

Agreed by the Parties:

*For Plaintiff,
Three Rivers Orthopaedic
& Spine Products, LLC:*

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By the Court:

/s/ Patricia A. Gaughan

Patricia A. Gaughan, U.S.D.J.

10/22/14